

## Follow up to Tuesday's meet and confer

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Remy and Wylie,

In furtherance of our meeting this past Tuesday, below are some follow-ups as promised. More will follow on Tuesday, as agreed.

45. Defendants have agreed to remove the phrase: "upon information and belief."
46. There were no issues discussed.
47. There were no issues discussed.
48. As discussed, Bridget is obtaining the organizational guide/flow chart. The organizational guide, and further information on organization is available on the NYPD website, <https://www1.nyc.gov/site/nypd/index.page> and <https://www1.nyc.gov/site/nypd/about/about-nypd/manual.page>
- 49-51. As discussed, line of duty reports will be produced; we are contacting MOS re: providing HIPPA releases. As also discussed, "all other documents" is very broad, but we are searching for other documents that may contain this information. Line of duty reports will give relevant information on injuries and how they occurred. Documents provided in the Initial disclosures also contain information regarding this topic.
52. Bridget is contacting fleet services division. I currently have some responsive documents, which I will provide next week.
53. Responsive documents are contained in the email discovery and the IAB/CCRB records previously produced. We are doing our best to search our database for additional information, and to point you to the responsive documents.
54. Bridget is searching for this information. Most, if not all, is available on the NYPD website, at <https://www1.nyc.gov/site/nypd/about/about-nypd/reformcollaborative.page>. To the extent there are and drafts of discussion, they are likely privileged, and a privilege log will be produced as agreed.
55. There were no issues discussed.
56. We are currently searching for vouchers and any other similar/responsive documents.
57. see 54
58. see 54
59. see 54
60. see 54

61. We are conferring with our e-discovery teams to determine more information.
62. There were no issues discussed.
63. see 61
64. We do not have the TARU logs (as you recall, I indicated that we may already have them.) We are having them collected.
65. Defendants have agreed to remove the phrase: "upon information and belief."
66. Defendants have agreed to withdraw the objection "assumes facts not in evidence." Further, we are conferring with our e-discovery groups.
67. Defendants have agreed to remove the phrase: "upon information and belief."
68. Defendants have agreed to remove the phrase: "upon information and belief."
69. Defendants have agreed to remove the phrase: "upon information and belief."
- 70-75. To the extent they exist, they are in the email productions. As many thousands of emails were produced, we are doing our best to locate the responsive emails. We know for sure there are emails referencing "SMART."
76. We are currently making inquiries. Re: "Draft after action report," I sent an email to Gideon Oliver on 8/19/21 regarding our privilege claim. We can add this to the privilege log which will be produced .
77. Defendants have agreed to remove the phrase: "upon information and belief."
78. Most, if not all responsive information is available on the NYPD website, at <https://www1.nyc.gov/site/nypd/about/about-nypd/reformcollaborative.page>. To the extent there are and drafts or discussions, they are likely privileged, and a privilege log will be produced as agreed.
79. Defendants are withholding documents on the relevance grounds stated in defendants' response, and that unrelated actions, premised on different sets of factual allegations, cannot support an inference of the existence of unconstitutional customs and policies.
80. As we discussed, we are at an impasse on this issue. We are happy to provide names for any shield number/helmet number of any patrol officer, but do not think that it is proportional or necessary to provide the entire NYPD roster. It should be noted that the rank of Lt and above don't have shield numbers and the numbers get recycled, so a helmet number may not be the shield number of someone of a higher rank.
81. We are searching for any documents referring to helmet usage by SRG.
82. We will provide a privilege log as agreed.
83. We will provide by 2/4/2022.
84. We will follow up on this on Tuesday.
- 85-87. We will provide further information on Tuesday, but there is likely nothing responsive specifically related to these lawsuits/claims, or if changes/revisions were, in fact made, there is unlikely any documents that directly points to them as a reason
88. We are currently searching our database and the email documents so that we can point you to the responsive materials already produced.
- 89-90. We will provide more information on Tuesday.
91. We will provide more information on Tuesday
92. We are following up with Tapes and Records, we will have more information on Tuesday.
93. The Flight Data Reports are being compiled and will be provided by 1/28, as agreed.
94. Defendants are withholding responsive documents on the relevance grounds stated, and that unrelated actions, premised on different sets of factual allegations, cannot support an inference of the existence of

unconstitutional customs and policies.

95. We will provide more information on Tuesday
96. We will provide more information on Tuesday
- 97-99. We will provide more information on Tuesday
100. We have requested documents form OEM, they advise us there are unlikely any responsive documents. We will follow up on Tuesday.
101. We will produce as agreed.

Hope you enjoy your weekends.

Best,

Dara

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